



San Diego City Attorney

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MEDIA ADVISORY

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PRESS AVAILABILITY

DATE AND TIME: Today at Noon

LOCATION: City Attorney's Office, 1200 Third Avenue, Suite 1620, Downtown San Diego

City Attorney Michael Aguirre will brief the news media about two key documents that have come to light in connection with the City's pension benefits and the U.S. Securities & Exchange Commission's (SEC) civil investigation into the City's pension system and its financial disclosure practices:

a) City Attorney 8/3/04 memo, agreeing to indemnify the Personnel Director and City Auditor/Comptroller regarding the "Presidential Leave" for union officials, which was discussed during the 2002 meet and confer process (Spring 2002). The letter was signed by Assistant City Attorney Les Girard. The memo indicates that the City Council voted on this matter in closed session, 9-0 vote, on May 13, 2002.

b) City Council Closed Session Report 9/21/04, directing attorneys to begin negotiations with the U.S. Securities & Exchange Commission for Council members and the City. Comments from the Closed Session Report read: "motion to authorize team to negotiate with the SEC for best deal possible. with caveat that City Council be included in deal with City and not be left to be dealt with separately." Those present at the Closed Session: Paul Maco and Rick Sauer from the law firm of Vinson & Elkins, outside legal counsel Mike Attanacio, outside consultant John McNally, Deputy City Attorney Frank Devaney, Assistant City Attorney Les Girard, and City Attorney Casey Gwinn. Council members absent were Toni Atkins and Donna Frye. Council District Four was vacant. Councilmembers from District 1, 2, 5, 7 and 8 voted in favor of the motion, as well as Mayor Dick Murphy.

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